

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANA BYRD,

Defendant.

Case No. 2:14-cr-00223-APG-VCF

ORDER

(ECF No. 8)

Defendant Dana Byrd has submitted a hand-written letter requesting that I “run [his] violation time concurrent with [his] county time or . . . give [him] credit for time served with [his] county time . . .” ECF 8. Mr. Byrd’s request for a concurrent sentence or time served is premature because I have not yet adjudicated the allegations that he violated terms of his supervised release. Thus, at present there is no federal sentence to impose. Mr. Byrd also requests a calendar call on this matter. Mr. Byrd is presently in state custody awaiting sentencing on a charge to which he pleaded guilty. Once the sentence has been imposed in that matter, I will be in a better position to evaluate the federal government’s allegations in this case. Accordingly, Mr. Byrd’s motion for relief **(ECF No. 8) is denied without prejudice**. Within 14 days of Mr. Byrd’s sentencing in state court, the Government shall file a notice in this case explaining whether, how, and when it intends to go forward with this revocation proceeding.

DATED this 10th day of March, 2017.



ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE